

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CONTESSA CLARK MCCLOUD,)	
)	
Plaintiff,)	
)	
v.)	CIVIL CASE NO. 3:23-cv-402-ECM
)	[WO]
CENTRAL ALABAMA HEALTH)	
CARE VA, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION and ORDER

On December 27, 2023, the Magistrate Judge entered a Recommendation that the Defendants’ motion for a more definite statement, or in the alternative, motion to dismiss (doc. 39) be granted to the extent that it seeks a more definite statement but denied to the extent it seeks dismissal of the Plaintiff’s claims. (Doc. 41). The Magistrate Judge also recommended that the Plaintiff be directed to “file an Amended Complaint that complies with the Federal Rules of Civil Procedure” and other requirements set out in the Recommendation. (*Id.* at 4–5). The Plaintiff did not file timely objections to the Recommendation but did file a document purporting to be an Amended Complaint, (doc. 42), as well as evidentiary submissions, (docs. 43, 44). On January 19, 2024, the Magistrate Judge entered an Order affording the Plaintiff an additional period through February 2, 2024, to file objections to the pending Recommendation. (Doc. 45). The Magistrate Judge’s Order also explained that the Plaintiff’s submissions did not comply with the Recommendation’s instructions on filing an Amended Complaint and once again

provided the Plaintiff instructions for filing an Amended Complaint, if she desires to file one, which complies with the requirements set forth in the Recommendation and the Federal Rules of Civil Procedure. (*Id.* at 2–3).

To date, the Plaintiff has not filed objections to the Magistrate Judge’s Recommendation, (doc. 41). Accordingly, upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows:

1. The Recommendation of the Magistrate Judge (doc. 41) is ADOPTED;
2. The Defendants’ motion (doc. 39) is GRANTED to the extent it requests a more definite statement and DENIED to the extent it requests dismissal of the Plaintiff’s claims;
3. The Plaintiff is DIRECTED to file an Amended Complaint that complies with the Federal Rules of Civil Procedure and the requirements set forth in the Recommendation (doc. 41 at 4–5) **on or before March 8, 2024**;
4. This case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 23rd day of February, 2024.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE